

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

In- TSAY, Chyan-Feng) Group Art Unit: 3754

Application No. 10/067,355) Examiner: DERAKSHANI, Philippe

Filed: February 7, 2002

Title: DRIVING MECHANISM FOR FRAGRANCE DISPENSER

Honorable Commissioner of Patent
Alexandria, Virginia 22313-1450

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

1. The applicant received a Notice of Abandonment dated June 25, 2003 for this application due to failure to respond to the Official Action dated 20 November 2002. However, as the enclosed documents show, a response to the Official Action was faxed on February 19, 2003. *The fax recordation page is attached as evidence.*
2. Furthermore, the applicant sent a *status request concerning the filing of the reply to the Office Action* of November 20, 2002 on July 7, 2003. The reply received from the USPTO was a copy of the letter with a written notation stating "Letter of abandonment mailed out on June 25, 2003". *A copy of the status letter that includes a written reply from USPTO is attached as evidence.*
3. On behalf of the applicant, I hereby petition to withdraw the holding of abandonment in this case, on the basis that the response to the Office Action was received by the U.S. Patent Office but was not recorded and also a status inquiry was made regarding said response was made.
4. In consideration of this submission, it is respectfully requested that the holding of abandonment be withdrawn.
5. Please find enclosed a Power of Attorney/Change of Correspondence form (please use this address for all future correspondence) along with the initial response that was submitted on February 19, 2003 via facsimile.

I hereby certify that, on the date shown below this correspondence is being deposited with the United States Postal Service via eFiling.



Leong C. Lai (Reg. No. 50402)

Date: July 27, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/367,353
Filing Date	02/07/2002
First Named Inventor	TSAY, Chyuan-Feng
Title	Driving mechanism for fragrance...
Art Unit	3734
Examiner Name	DERAKSHANI, Philippe
Attorney Docket Number	FP8427

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioners associated with the Customer Number: 000052981

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:
OR

The address associated with Customer Number: 000052981
OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Leong C. LEI		
Address	PMB#1008, 1867 Ygnacio Valley Rd.			
City	Walnut Creek	State	CA	Zip 94598
Country	U.S.A.			
Telephone	925 812 9381	Fax	925 286 9781	

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95)

SIGNATURE of Applicant or Assignee of Record

Signature	<i>TSAY CHYUAN - FENG</i>	Date	July 26, 2006
Name	TSAY, Chyuan-Feng	Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignee of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

***** -IND. XMT JOURNAL- ***** DATE 19-FEB-2003 ***** TIME 18:42 *****

DATE/TIME = 19-FEB-2003 18:42
JOURNAL No. = 19
CONN. RESULT = OK
PAGE(S) = 004/004
DURATION = 00:01:10
FILE No. = 897
MODE = MEMORY TRANSMISSION
DESTINATION = 00217038729382
RECEIVED ID =
RESOLUTION = STD

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OFFICIAL

February 19, 2003

BOX AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

U. S. A.

PAGES: 4 (including this sheet)

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that I have transmitted this paper by fax to the Patent and Trademark Office at 703-872-9302 on February 19, 2003.

TSAY, CHYUAN-FENG

Signature

TSAY, Chyuan-Feng



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
In- TSAY, Chyuan-Feng) Group Art Unit: 3754
Serial No. 10/067,355) Examiner: DERAKSHANI, PHILIPPE
Filed: February 7, 2002)

For: DRIVING MECHANISM FOR FRAGRANCE DISPENSER.

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

AMENDMENT

This is responsive to the Official Action dated November 20, 2002. Please amend the above-referenced Patent Application as provided in the following paragraphs.



CLEAN VERSION OF REPLACEMENT PARAGRAPH/SECTION/CLAIMIN THE CLAIM

Please cancel claims 1-4 without prejudice and substitute therefor the following new claim 5 (in "clean form"):

-- 5. A driving mechanism for fragrance dispenser including a press mechanism and a control circuit characterized in that the press mechanism is provided with a base seat having a protruded circular recess at the lower section thereof for the mounting of a fragrance bottle, the surface of the base seat is mounted with engageable main and driven gears, and the bottom of the base seat is provided with a motor such that the axle of the motor and the main gear are engaged with each other, and the driven gear is engaged with a press rod having a plurality of teeth such that the driving by the control circuit will drive the gear to rotate and the press rod is driven to move up and down, thereby the dispensing head of the fragrance bottle is pressed and the fragrance is dispensed at a specific timing, wherein the surface of the base seat is provided with a blocking rib and a pair of symmetrical protruded ribs such that the press rod urges the blocking rib and the protruded ribs and the up and down movement of the press rod provides a positioning function. --

REMARKS

The undersigned, a pro-se applicant, respectfully requests that if the Examiner finds patentable subject matter disclosed in this application, but feels that Applicant's present claim is not entirely suitable, the Examiner draft one or more allowable claims for applicant.

This case has been carefully reviewed and analyzed in view of the Official Action dated November 20, 2002.

The Examiner has objected to claim 1 because of informalities. Claims 1-4 have been canceled and replaced with new claim 5 in order to avoid this objection.

Further, the Examiner has rejected claims 1 and 3-4 under 35 U.S.C. 102(b) as being anticipated by Muderlak et al '117.

Furthermore, the Examiner has stated that claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-4 have been canceled and replaced with new claim 5 in order to avoid this objection. However, if the new claim still does not comply with the requirement, an Examiner's amendment is earnestly solicited.

The applicant has reviewed the prior art as cited by the Examiner but not used in the rejection and believes that the new claim clearly and distinctly patentably defines over such prior art.

It is now believed that the subject Patent Application has been placed in condition of allowance, and such action is respectfully requested.

Respectfully submitted,

TSAY, CHYUAN-PENG
Signature

TSAY, Chyuan-Peng (February 19, 2003)





PP 3427

3754

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tsay, Chyuan-Feng

Application No.: 10/067,355 Group No.: 3754

Filed: 02/07/2002 Examiner:

For: Driving mechanism for fragrance dispenser

RECEIVED

Commissioner for Patents
Arlington VA 22202

JUL 11 2003

TECHNOLOGY CENTER R3700

STATUS INQUIRY

1. More than four months has passed since the filing of a reply of February 19, 2003 to an office action for this application dated November 26, 2002. No communication has been received from the Patent and Trademark Office indicating a reply.
2. Kindly advise the undersigned of the present status of this application, by checking the appropriate box below. A stamped return-addressed envelope is provided.

TSAY, CHYUAN-FENG

Tsay, Chyuan-Feng (Inventor)

PO Box 82-144

Taipei, Taiwan

July 7, 2003

STATUS INQUIRY REPLY

Application Serial No. 10/067,355 is currently

- Assigned to Group 3754 and awaits:
 Action by the Examiner
 Applicant's response to the office action mailed _____

Letter of Abandonment mailed out on
June 24, 2003